

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**LEAGUE OF WOMEN VOTERS OF)
TENNESSEE, LEAGUE OF WOMEN)
VOTERS OF TENNESSEE)
EDUCATION FUND, AMERICAN)
MUSLIM ADVISORY COUNCIL,)
MID-SOUTH PEACE & JUSTICE)
CENTER, MEMPHIS CENTRAL)
LABOR COUNCIL, ROCK THE)
VOTE, and HEADCOUNT)**

Plaintiffs,

v.

**TRE HARGETT, in his official capacity)
as Secretary of State of the State of)
Tennessee, MARK GOINS, in his)
official capacity as Coordinator of)
Elections for the State of Tennessee,)
HERBERT SLATERY III, in his official)
Capacity as Attorney General of the State)
of Tennessee, the STATE ELECTION)
COMMISSION, and DONNA)
BARRETT, JUDY BLACKBURN,)
GREG DUCKETT, MIKE)
MCDONALD, JIMMY WALLACE,)
TOM WHEELER, and KENT)
YOUNCE, in their official capacities as)
members of the State Election)
Commission,)**

Defendants.

Case No. 3:19-CV-385

Judge Aleta A. Trauger

STATE DEFENDANTS' ANSWER TO AMENDED COMPLAINT

The Attorney General, on behalf of the above-captioned defendants, in their official capacities only, hereby states the following for their Answer to Plaintiffs' Amended Complaint (DE 37).

INTRODUCTION

1. State Defendants admit the allegations of paragraph no. 1 to the extent that they assert Plaintiffs' stated purpose in bringing this action but deny them for all other purposes and deny the characterization of the challenged Act.
2. State Defendants admit the allegations of sentence 1 of paragraph no. 2 to the extent that they assert Plaintiffs' stated purpose in bringing this action but deny them for all other purposes and deny the characterization of the challenged Act. State Defendants deny the remaining allegations of paragraph no. 2.
3. Paragraph no. 3 is a recitation of case law and legislative history to which no response is required.
4. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph no. 4, and therefore are denied.
5. State Defendants admit that on May 2, 2019, the Act was passed into law. State Defendants deny the Plaintiffs' characterizations and interpretations thereof, and submit that the Act speaks for itself.
6. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
7. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

8. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
9. State Defendants deny the allegations of paragraph no. 9.
10. State Defendants deny the allegations of paragraph no. 10.
11. State Defendants deny the allegations of paragraph no. 11.
12. State Defendants lack knowledge of information sufficient to form a belief as to the allegations of paragraph no. 12, which therefore are denied, and further deny Plaintiffs' characterizations and interpretations of the Act.
13. State Defendants deny the allegations of the first sentence of paragraph no. 13. State Defendants lack knowledge of information sufficient to form a belief as to the allegations of the second and third sentences of paragraph no. 12, which therefore are denied, and further deny Plaintiffs' characterizations and interpretations of the Act.
14. State Defendants deny the allegations of paragraph no. 14.
15. State Defendants deny the allegations of paragraph no. 15.
16. State Defendants deny the allegation of paragraph no. 16.
17. State Defendants admit the allegations of paragraph no. 17 to the extent that they assert Plaintiffs' stated purpose in bringing this action but deny them for all other purposes and deny the characterization and interpretation of the challenged Act.

JURISDICTION AND VENUE

18. State Defendants admit the allegation of paragraph no. 18 to the extent that they state the Plaintiffs' stated purpose in bringing this action. State Defendants deny the allegations of paragraph no. 18 to the extent that they provide that this Court has subject-matter jurisdiction over the Plaintiffs' complaint.

19. Admitted.

20. State Defendants admit the allegations of paragraph no. 20 to the extent they provide that if this Court has subject-matter jurisdiction over this case, then venue would be proper in the Middle District, and otherwise deny the allegations of paragraph no. 20.

PARTIES

League of Women Voters of Tennessee

21. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 21, and therefore deny the allegations.

22. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 22, and therefore deny the allegations.

23. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 23, and therefore deny the allegations.

24. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 24, and therefore deny the allegations.

25. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 25, and therefore deny the allegations.

26. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 26, and therefore deny the allegations.

27. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 27, and therefore deny the allegations.

28. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 28, and therefore deny the allegations.

29. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 29, and therefore deny the allegations.

30. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 30, and therefore deny the allegations.

31. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 31, and therefore deny the allegations.

32. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 32, and therefore deny the allegations.

33. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 33, and therefore deny the allegations. State Defendants submit that the Act speaks for itself and dispute Plaintiffs' characterizations and interpretations thereof.

34. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 34, and therefore deny the allegations.

35. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 35. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations, and therefore deny the allegations.

American Muslim Advisory Council

36. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 36, and therefore deny the allegations.

37. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 37, and therefore deny the allegations.

38. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 38, and therefore deny the allegations.

39. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 39, and therefore deny the allegations.

40. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 40, and therefore deny the allegations.

41. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 41, and therefore deny the allegations.

42. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 42, and therefore deny the allegations. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

Mid-South Peace and Justice Center

43. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 43, and therefore deny the allegations.

44. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 44, and therefore deny the allegations.

45. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 45, and therefore deny the allegations.

46. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 46, and therefore deny the allegations.

47. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 47, and therefore deny the allegations.

48. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 48, and therefore deny the allegations.

49. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 49, and therefore deny the allegations.

50. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 50. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

Memphis Central Labor Council

51. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 51, and therefore deny the allegations.

52. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 52, and therefore deny the allegations.

53. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 53, and therefore deny the allegations.

54. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 54, and therefore deny the allegations.

55. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 55, and therefore deny the allegations.

56. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 56, and therefore deny the allegations.

57. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 57, and therefore deny the allegations.

58. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 58, and therefore deny the allegations.

59. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 59, and therefore deny the allegations. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

Rock the Vote

60. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 60, and therefore deny the allegations.

61. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 61, and therefore deny the allegations.

62. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 62, and therefore deny the allegations.

63. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 63, and therefore deny the allegations.

64. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 64, and therefore deny the allegations.

65. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 65, and therefore deny the allegations.

66. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 66, and therefore deny the allegations. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

67. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 67, and therefore deny the allegations. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

HeadCount

68. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 68, and therefore deny the allegations.

69. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 69, and therefore deny the allegations.

70. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 70, and therefore deny the allegations.

71. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 71, and therefore deny the allegations.

72. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 72, and therefore deny the allegations.

73. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 73, and therefore deny the allegations.

74. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 74, and therefore deny the allegations.

75. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 75, and therefore deny the allegations.

76. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 76, and therefore deny the allegations.

77. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 77, and therefore deny the allegations.

78. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 78, and therefore deny the allegations.

79. State Defendants deny the allegations of the last sentence of paragraph no. 79. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the remaining factual allegations contained in paragraph no. 79, and therefore deny the allegations.

80. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 80, and therefore deny the allegations.

81. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 81, and therefore deny the allegations.

82. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 82, and therefore deny the allegations.

83. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 83, and therefore deny the allegations.

84. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 84, and therefore deny the allegations.

85. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 85, and therefore deny the allegations.

86. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 86, and therefore deny the allegations. State Defendants further aver that the requirements of the Act speak for themselves.

87. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 87, and therefore deny the allegations.

88. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 88, and therefore deny the allegations.

89. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 89, and therefore deny the allegations.

90. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 90, and therefore deny the allegations.

91. State Defendants deny the allegations of paragraph no. 91.

92. State Defendants aver that the requirements of the Act speak for themselves with regard to the allegations of paragraph no. 92, and therefore deny Plaintiffs' characterizations and interpretations thereof.

93. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 93, and therefore deny the allegations.

94. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 94, and therefore deny the allegations. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

Defendants

95. Admitted.

96. Admitted.

97. State Defendants deny the allegation that the Attorney General is empowered to prosecute violations of the election code. The remaining allegations are admitted.

98. The allegations of the first sentence of paragraph no. 98 are admitted. For the remaining allegations of paragraph no. 98, State Defendants submit that the Act speaks for itself, and therefore deny Plaintiffs' characterizations and interpretations thereof.

99. Admitted.

FACTS

Voter Registration in Tennessee

100. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 100, and therefore deny the allegations.

101. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 101, and therefore deny the allegations.

102. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 102, and therefore deny the allegations.

103. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 103, and therefore deny the allegations.

104. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 104, and therefore deny the allegations.

105. State Defendants deny the allegations that voter registration drives are critical to Plaintiffs' core political speech and associational rights.

106. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph no. 106, and therefore deny the allegations.

107. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 107, and therefore deny the allegations.

108. State Defendants deny the allegations of paragraph no. 108.

Enactment of the Challenged Law

109. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 109, and therefore deny the allegations.

110. State Defendants generally deny the characterizations of paragraph no. 110 and lack sufficient information to form a belief as to the truth of the allegations concerning “this backdrop of increased voter registration.” State Defendants therefore deny the allegations.

111. State Defendants deny the allegations of paragraph no. 111.

112. State Defendants submit that the legislative history of the Act speaks for itself and deny Plaintiffs’ characterizations and interpretations thereof.

113. State Defendants submit that the legislative history of the Act speaks for itself and deny Plaintiffs’ characterizations and interpretations thereof.

114. State Defendants deny the allegations of paragraph no. 114.

115. State Defendants submit that the legislative history of the Act speaks for itself and deny Plaintiffs’ characterizations and interpretations thereof.

116. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 116, and therefore deny the allegations. State Defendants further deny the unsubstantiated suppositions contained in paragraph no. 116.

117. State Defendants admit the factual allegations of paragraph no. 117 but deny Plaintiffs’ characterizations and interpretations of the Act.

Challenged Provisions and Their Impact

118. State Defendants deny the allegations of paragraph no. 118.

119. State Defendants submit that the Act speaks for itself and deny Plaintiffs’ characterizations and interpretations thereof.

Vague Scope of the Coverage of the Law

120. State Defendants deny the allegations of paragraph no. 120.

121. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

122. State Defendants deny the allegations of paragraph no. 122.

123. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

124. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof, and further deny all allegations of vagueness and/or ambiguity with respect to the Act.

125. State Defendants submit that the legislative history of the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

126. State Defendants deny the allegations of paragraph no. 126.

127. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

Requirements of Section 2-2-143

128. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

129. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

130. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof, including all allegations of vagueness and/or ambiguity with respect to the Act.

131. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations contained in paragraph no. 131, and therefore deny the allegations.

132. State Defendants deny the allegations of the first sentence of paragraph no. 132. State Defendants admit the allegations of the second sentence of paragraph no. 132. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the third sentence of paragraph no. 132, and therefore deny the allegations.

133. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

134. State Defendants deny the allegations of paragraph no. 134.

135. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

136. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

137. State Defendants deny the allegations of paragraph no. 137.

138. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

139. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof. State Defendants further deny the third sentence of paragraph no. 139.

140. State Defendants submit that the Act speaks for itself and specifically deny the first sentence of paragraph no. 140. State Defendants deny Plaintiffs' characterizations and interpretations of the Act as contained in the second sentence of paragraph no. 140. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual

allegations of the third and fourth sentences of paragraph no. 140, and therefore deny the allegations.

141. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 141, and therefore deny the allegations.

142. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 142, and therefore deny the allegations.

143. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations of the Act as contained in the first sentence of paragraph no.

143. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the second, third, and fourth sentences of paragraph no. 143, and therefore deny the allegations.

144. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 144, and therefore deny the allegations.

145. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 145, and therefore deny the allegations.

146. State Defendants deny the allegations of paragraph no. 146.

147. State Defendants deny the allegations of paragraph no. 147.

148. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 148, and therefore deny the allegations.

149. State Defendants submit that the Act speaks for itself.

Requirements of Section 2-19-145

150. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

151. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
152. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
153. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
154. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
155. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.
156. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof. State Defendants further deny the second and third sentences of paragraph no. 156.
157. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 157, and therefore deny the allegations. State Defendants deny the remaining allegations of paragraph no. 157.
158. State Defendants deny the allegations of paragraph no. 158.
159. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 159, and therefore deny the allegations.
160. State Defendants deny the allegations of paragraph no. 160.
161. State Defendants deny the allegations of paragraph no. 161.
162. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 162, and therefore deny the allegations.

163. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 163, and therefore deny the allegations.

164. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 164, and therefore deny the allegations.

165. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 165, and therefore deny the allegations.

166. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 166, and therefore deny the allegations.

167. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 167. State Defendants deny the remaining allegations of paragraph no. 167, and therefore deny the allegations.

168. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 168, and therefore deny the allegations. State Defendants deny the remaining allegations of paragraph no. 168.

169. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first and third sentences of paragraph no. 169, and therefore deny the allegations. State Defendants deny the remaining allegations of paragraph no. 169.

Requirements of Section 2-2-142

170. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

171. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

172. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof. Plaintiffs further deny the allegations of the third sentence of paragraph no. 172.

173. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof. Plaintiffs further deny the allegations of the third sentence of paragraph no. 173.

174. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof. State Defendants further deny the second and third sentences of paragraph no. 174. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the fourth sentence of paragraph no. 174, and therefore deny the allegations.

175. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

176. State Defendants submit that the Act speaks for itself and deny Plaintiffs' characterizations and interpretations thereof. Plaintiffs further deny the allegations of the second sentence of paragraph no. 176.

177. State Defendants submit that the Act speaks for itself.

178. State Defendants submit that the Act speaks for itself.

179. State Defendants deny the allegations of the eighth sentence of paragraph no. 179. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the remaining factual allegations of paragraph no. 179, and therefore deny the allegations.

180. State Defendants deny the allegations of paragraph no. 180.

181. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 181, and therefore deny the allegations. State Defendants deny the allegations of the second sentence of paragraph no. 181.

182. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 182, and therefore deny the allegations.

183. State Defendants deny the allegations of paragraph no. 183.

184. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 184, and therefore deny the allegations. State Defendants deny the allegations of the second sentence of paragraph no. 184.

185. State Defendants deny the allegations of paragraph no. 185.

186. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 186, and therefore deny the allegations. State Defendants deny the allegations of the second sentence of paragraph no. 186.

187. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 187, and therefore deny the allegations.

188. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of the first sentence of paragraph no. 188, and therefore deny the allegations. State Defendants deny the allegations of the second sentence of paragraph no. 188.

189. State Defendants deny the allegations of paragraph no. 189.

190. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 190, and therefore deny the allegations.

191. State Defendants deny the allegations of paragraph no. 191.

Overall Impact on Plaintiffs

192. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 192, and therefore deny the allegations.

193. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 193, and therefore deny the allegations.

194. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 194, and therefore deny the allegations.

195. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 195, and therefore deny the allegations.

196. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 196, and therefore deny the allegations.

197. State Defendants lack knowledge or information sufficient to form a belief as to the truth of the factual allegations of paragraph no. 197, and therefore deny the allegations.

198. State Defendants submit that the law speaks for itself and deny Plaintiffs' characterizations and interpretations thereof.

Claim I: Free Speech and Association **(Violation of Plaintiffs' First Amendment Rights Pursuant to 42 U.S.C. § 1983)**

199. State Defendants repeat and reference all of the above responses to Plaintiffs' allegations of the First Amended Complaint as though fully set forth herein.

200. Admitted.

201. Admitted.

202. State Defendants deny the allegations of paragraph no. 202.

203. State Defendants deny the allegations of paragraph no. 203.

204. State Defendants deny the allegations of paragraph no. 204.

- 205. State Defendants deny the allegations of paragraph no. 205.
- 206. State Defendants deny the allegations of paragraph no. 206.
- 207. State Defendants deny the allegations of paragraph no. 207.
- 208. State Defendants deny the allegations of paragraph no. 208.
- 209. State Defendants deny the allegations of paragraph no. 209.
- 210. State Defendants deny the allegations of paragraph no. 210.
- 211. State Defendants deny the allegations of paragraph no. 211.
- 212. State Defendants deny the allegations of paragraph no. 212.
- 213. State Defendants deny the allegations of paragraph no. 213.
- 214. State Defendants deny the allegations of paragraph no. 214.
- 215. State Defendants deny the allegations of paragraph no. 215.
- 216. State Defendants deny the allegations of paragraph no. 216.
- 217. State Defendants deny the allegations of paragraph no. 217.
- 218. State Defendants deny the allegations of paragraph no. 218.

Claim II: Compelled Speech

(Violation of Plaintiffs' First Amendment Rights Pursuant to 42 U.S.C. § 1983)

- 219. State Defendants repeat and reference all of the above responses to Plaintiffs' allegations of the First Amended Complaint as though fully set forth herein.
- 220. Admitted.
- 221. State Defendants deny the allegations of paragraph no. 221.
- 222. State Defendants deny the allegations of paragraph no. 222.
- 223. State Defendants deny the allegations of paragraph no. 223.
- 224. State Defendants deny the allegations of paragraph no. 224.

225. State Defendants deny the allegations of paragraph no. 225.
226. State Defendants deny the allegations of paragraph no. 226.
227. State Defendants deny the allegations of paragraph no. 227.
228. State Defendants deny the allegations of paragraph no. 228.

Claim III: Substantial Overbreadth
(Violation of Plaintiffs' First Amendment Rights Pursuant to 42 U.S.C. § 1983)

229. State Defendants repeat and reference all of the above responses to Plaintiffs' allegations of the First Amended Complaint as though fully set forth herein.
230. Admitted.
231. Admitted.
232. State Defendants deny the allegations of paragraph no. 232.
233. State Defendants deny the allegations of paragraph no. 233.
234. State Defendants deny the allegations of paragraph no. 234.
235. State Defendants deny the allegations of paragraph no. 235.

Claim IV: Due Process
(Violation of Plaintiffs' Fourteenth Amendment Due Process
Rights Pursuant to 42 U.S.C. § 1983)

236. State Defendants repeat and reference all of the above responses to Plaintiffs' allegations of the First Amended Complaint as though fully set forth herein.
237. Admitted.
238. The allegations contained in paragraph no. 238 constitute arguments of law and not well-pleaded facts, for which no response is required. To the extent a response is required, State Defendants deny the validity of Plaintiffs' legal arguments.
239. State Defendants deny the allegations of paragraph no. 239.
240. State Defendants deny the allegations of paragraph no. 240.

241. State Defendants deny the allegations of paragraph no. 241.
242. State Defendants deny the allegations of paragraph no. 242.
243. State Defendants deny the allegations of paragraph no. 243.
244. State Defendants deny the allegations of paragraph no. 244.
245. State Defendants deny the allegations of paragraph no. 245.
246. State Defendants deny the allegations of paragraph no. 246.
247. State Defendants deny the allegations of paragraph no. 247.
248. State Defendants deny the allegations of paragraph no. 248.
249. State Defendants deny the allegations of paragraph no. 249.
250. State Defendants deny the allegations of paragraph no. 250.
251. State Defendants deny the allegations of paragraph no. 251.
252. State Defendants deny the allegations of paragraph no. 252.
253. State Defendants submit that the Act speaks for itself.
254. State Defendants submit that the Act speaks for itself. State Defendants deny the allegations of the second sentence of paragraph no. 254.
255. State Defendants deny the allegations of paragraph no. 255.
256. State Defendants deny the allegations of paragraph no. 256.
257. State Defendants deny the allegations of paragraph no. 257.

**Claim V: Burden on Political Speech and Association in Connection with the Fundamental
Right to Vote
(Violation of Plaintiffs' First and Fourteenth Amendment Rights
Pursuant to 42 U.S.C. § 1983)**

258. State Defendants repeat and reference all of the above responses to Plaintiffs' allegations of the First Amended Complaint as though fully set forth herein.
259. Admitted.

260. State Defendants deny the allegations of paragraph no. 260.
261. State Defendants deny the allegations of paragraph no. 261.
262. State Defendants deny the allegations of paragraph no. 262.
263. State Defendants deny the allegations of paragraph no. 263.
264. State Defendants deny the allegations of paragraph no. 264.
265. State Defendants deny the allegations of paragraph no. 265.
266. State Defendants deny the allegations of paragraph no. 266.
267. Any allegations not previously referenced or for which a more detailed response is required are denied.

PRAYER FOR RELIEF

State Defendants deny that Plaintiffs are entitled to the relief prayed for in paragraph nos. (A), (B), (C), (D), and (E) of their Prayer for Relief.

Affirmative and Other Defenses

1. The Court lacks subject-matter jurisdiction over the claims asserted in Plaintiffs' Complaint.
2. Plaintiff's claims are barred in part or in their entirety because they are not yet ripe for review.
3. Plaintiffs' claims are barred in part or in their entirety by the *Burford/Colorado River* abstention doctrines.
4. No act, omission, or law, policy, practice, or custom of State Defendants has deprived Plaintiffs of rights secured by the United States Constitution.
5. Plaintiffs' claims are non-justiciable.

6. State Defendants are entitled to, and seek herein to recover their attorneys' fees and expenses incurred in this action as provided for by 42 U.S.C. § 1988.

7. State Defendants reserve their right to amend this Answer as provided by the Federal Rules of Civil Procedure in order to assert additional affirmative defenses or averments which might become relevant as facts are discovered.

Respectfully Submitted,

HERBERT H. SLATERY III
Attorney General and Reporter

JANET M. KLEINFELTER
Deputy Attorney General

/s/Alexander S. Rieger
ALEXANDER S. RIEGER
KELLEY. L. GROOVER
Assistant Attorneys General
Public Interest Division
War Memorial Bldg, 3rd Floor
P.O. Box 20207
Nashville, TN 37202
(615) 741-2408
alex.rieger@ag.tn.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Answer has been forwarded electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to the parties named below. Parties may access this filing through the Court's electronic filing system.

Sophia Lin Lakin
Theresa J. Lee
Dale E. Ho
American Civil Liberties Union
Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Sarah Brannon
David Rosborough
American Civil Liberties Union
Foundation
915 15th Street, 6th Floor
Washington, DC 20005

Thomas H. Castelli
ACLU Foundation of Tennessee
P.O. Box 120160
Nashville, TN 37212

Danielle Lang
Molly Danahy
Campaign Legal Center
1101 14th Street NW, Suite 400
Washington, DC 20005

William H. Harbison
C. Dewey Branstetter
Hunter C. Branstetter
Sherrard Roe Voight & Harbison
150 3rd Avenue South, Suite 1100
Nashville, TN 37301

Michelle Kanter Cohen
Jon Sherman
Fair Elections Center
1825 K Street NW, Suite 450
Washington, DC 20006

on this 8th day of October, 2019.

/s/Alexander S. Rieger
ALEXANDER S. RIEGER
Assistant Attorney General